

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Metropolitan ) Application No. P-0010  
Utilities District of Omaha, Omaha, )  
seeking resolution of a dispute ) PROGRESSION ORDER NO. 1  
under *Neb. Rev. Stat.* § 57-1306. )  
)  
) Entered: November 3, 2005

BY THE HEARING OFFICER:

## O P I N I O N      A N D      F I N D I N G S

On September 30, 2005, an application was filed by Metropolitan Utilities District of Omaha (M.U.D.) seeking a determination that a natural gas main extension installed by Aquila, Inc. (Aquila) along 180th Street and Giles Road from Cornhusker Road to Storage Road in Sarpy County, Nebraska is in violation of *Neb. Rev. Stat. §§ 57-1301, et seq.* Aquila filed an Answer on October 19, 2005.

In order to process the application, the parties conferred with Commission staff regarding a procedural schedule. As a result, a schedule for discovery, filing of witness and exhibit lists, and hearing date were agreed to by the parties.

The parties shall exchange written discovery no later than **5:00 p.m., November 11, 2005**. Responses to written discovery shall be due no later than **5:00 p.m., December 12, 2005**.

The parties shall exchange preliminary witness lists by 5:00 p.m., December 16, 2005.

Final witness lists shall be exchanged by the parties and filed with the Commission and all depositions shall be completed by **5:00 p.m., January 13, 2006.**

All exhibits and stipulations shall be exchanged by the parties and filed with the Commission no later than **5:00 p.m., January 27, 2005.**

Finally, the hearing in Application No. P-0010 will be held on **February 8, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

Any remaining pre-hearing issues that the parties would like to address should be brought before the Commission prior to hearing.

O R D E R

IT IS THEREFORE ORDERED that the foregoing schedule for submission and service of the items discussed above is, hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. P-0010 will be held on **February 8, 2006, at 10:00 a.m.** at the Sarpy County Courthouse, Sarpy County Board Room, 1210 Golden Gate Drive, Papillion, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 3rd day of November, 2005.

BY THE HEARING OFFICER

Commissioner Frank Landis